

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:07-CR-323-BO-1

UNITED STATES OF AMERICA

v.

HASSAN GENELL HINES

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ORDER

This cause comes before the Court on defendant's *pro se* motions seeking a sentence reduction pursuant to 18 U.S.C. § 3582. [DE 195, 196]. The government has responded, [DE 208], and the matter is ripe for disposition.

On November 8, 2007, the Grand Jury issued a seven-count indictment that charged defendant with (1) conspiracy to distribute and to possess with intent to distribute more than five kilograms of cocaine, in violation of 21 U.S.C. § 846; (2) possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 922(g)(1); (3) possession with intent to distribute cocaine base, cocaine, and marijuana, in violation of 21 U.S.C. § 841(a)(1); (4) using and maintaining a place for the purpose of manufacturing, distributing, and using controlled substances, in violation of 21 U.S.C. § 856(a)(1); and (5) using and carrying firearms during and in relation to a drug trafficking crime and possessing firearms in furtherance of the drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i) and (C)(i).

On April 14, 2008, defendant pleaded not guilty to the counts charged in the indictment and the case went to trial. On October 9, 2008, the jury returned guilty verdicts on all counts. At sentencing, on January 5, 2009, the Court imposed a sentence of 420 months of imprisonment on Counts One and Three, 120 months of imprisonment on Count Two (to be served concurrently),


240 months of imprisonment on Count Four (to be served concurrently), and 60 months of imprisonment on Count Five (to be served consecutively).

On defendant's resentencing on June 2, 2016, the Court applied a sentence reduction pursuant to Amendment 782 and of the United States Sentencing Guidelines ("USSG"). Defendant's sentence on Counts 1 and 3 was reduced from 420 to 292 months of imprisonment. [DE 191, 192].

On July 29, 2016 and January 13, 2017, defendant filed the instant motions seeking a reduction in his sentence due to Amendment 750 of the USSG pursuant to 18 U.S.C. § 3582. [DE 195, 196]. However, these motions are moot as the Court already considered defendant's request for the application of Amendment 750 (which was originally filed on August 21, 2014, *see* [DE 186, 194]) when considering and ordering the reduction in his sentence under Amendment 782.

Accordingly, defendant's motions [DE 195, 196] are DENIED AS MOOT.

SO ORDERED, this 1 day of July, 2017.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE